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OFFICE OF PETITIONS

In re Application of :
Kazuhiko Yamaguchi :
Application No. 09/498,857 :
Filed: February 7, 2000 :
Attorney Docket No.: FUJI 16.987 :
Title: BASE STATION APPARATUS :

DECISION ON PETITION

This is a decision on the petition under 37 CFR § 1.137(b)¹, filed June 15, 2004, to revive the above-identified application.

The above-identified application became abandoned for failure to submit the issue in a timely manner in reply to the Notice of Allowance and Issue Fee Due, mailed March 24, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time are permitted for transmitting issue fees². Accordingly, the above-identified application became abandoned on June 25, 2003. A Notice of Abandonment was mailed July 23, 2003.

With the instant petition, Petitioner has met the requirements to revive the above-identified application, pursuant to 37 CFR 1.137(b). Petitioner submitted the required reply in the form of the filing of the issue and petition fees, and has made the proper statement of unintentional delay.

The petition is **GRANTED**.

After this decision is mailed, the application will be forwarded to the Office of Patent Publication for further processing into a patent.

Questions pertaining to this application should be directed towards the Office of Patent Publication at (703) 305-8497.

¹ A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

² See MPEP § 710.02(e).

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0011. Please note that on approximately September 28, 2004, the Office of Petitions will relocate to the new PTO location in Alexandria. Although the mailing address will remain the same, the general phone number for the Office of Petitions which should be used for status requests will change to 571-272-3282, and the telephone number for the undersigned will change to 571-272-3225.



Paul Shanowski
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